

ORDINANCE NO. 1-2008

SECTION ONE: BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, as follows:

Section I. Pursuant to the authority granted to the cities and towns of Alabama by Section 11-45-8 of the Code of Alabama, 1975, as amended, there is hereby adopted by the City Council of Montgomery, Alabama, for the purpose of prescribing regulations governing the installation of wiring and apparatus for electrical purposes, all of that certain code printed in book form known as the National Electrical Code, 2008 Edition, and prepared by National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, of which Code not less than three (3) copies have been and are now filed in the Office of the City Clerk of the City of Montgomery, Alabama and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits and police jurisdiction of the City of Montgomery, Alabama.

Section II. Be further ordained that the following be and are hereby adopted in addition to the National Electrical Code 2008:

SECTION TWO: ELECTRICAL DIVISION

There is hereby established an Electrical Division to be called the Electrical Inspections Division, which shall be under and part of the Inspections Division of Technical Services.

SECTION THREE: DEFINITIONS

Whenever in this Ordinance the words and phrases hereinafter defined in this section are used, they shall, unless the context requires otherwise, be deemed to have the following meanings:

1. PERSON

Any individual, firm, corporation, partnership, company, trustee, agency or association, and any other agent, servant, employee or office thereof, singular and plural.

2. MASTER ELECTRICIAN

Any person possessing the necessary qualifications, training and technical knowledge to plan, lay out and supervise the installation of electrical wiring, apparatus or equipment for lights, heat or power, and who either holds a current State of Alabama Electrical Contractor's License or who held a City of Montgomery Master Electrician Certificate as of December 31, 2000.

3. NEON OR ILLUMINATED SIGN CONTRACTOR

Any person possessing the necessary qualifications, training, and technical knowledge to plan, lay out and supervise the installation of electrical wiring on or within illuminated and/or neon signs, who either holds a current State of Alabama Electrical Sign Specialty Contractor's License or held a City of Montgomery Neon or Illuminated Sign Contractor Certificate as of December 31, 2000, and who has purchased a City of Montgomery Electrical Contractor business license at any time prior to the effective date of this

ordinance. The purpose of this section is to gradually phase out this license, grandfathering in those persons satisfying all three (3) conditions of the Section.

4. CITY COUNCIL

The Council of the City of Montgomery, Alabama.

SECTION FOUR: LICENSE

Before any person, firm or corporation shall engage in the electrical business, he shall be qualified as set forth herein, and an Electrical Contractors License shall be obtained from the City of Montgomery, Alabama Revenue and License Division. No business license shall be issued to any person to engage in the business or trade of electrical construction and installation, or electrical contractor or the business of installing, erecting or repairing and servicing electrical, illuminated or luminous tube or neon signs, unless such person meets the definitions of Master Electrician or Neon Illuminated Sign Contractor, respectively as set forth in Section Three, above, provided, however, prewired manufactured illuminated signs bearing a label of approval from a nationally recognized testing laboratory may be installed by other than a Master Electrician or Neon or Illuminated Sign Contractor, provided the installer holds a current, appropriate City of Montgomery Business License, secures a building permit from the City of Montgomery for the installation, and performs no wiring or electrical connections to the sign.

SECTION FIVE: APPLICATION AND PERMIT

1. **Application** – Before beginning any work an application must be filed with the Electrical Division and must show the name of the owner or owners of the property or the person for whom the work is being done, the name or names of the licensed electrician who is responsible for the work, the street address of the building, structure or property where the work is to be performed, the number of the lot and block when applicable, the exact location or other sufficient description as may be requested and a clear description of the work to be performed.
2. **Permit** – No person, firm or corporation shall connect or cause to be connected any electrical wiring or appliances hereinafter defined without first obtaining a written permit for such work from the City Electrical Division. A separate permit must be obtained for each job and for each separate piece of work of any description, including alteration, extensions, and repair, except for minor repairs. It shall be the duty of the City Electrical Division to issue a permit to any person, firm or corporation who files with him a written application and complies with the hereinafter provisions of this ordinance.
3. **Expiration of permits** – All permits are good for a continuous performance of work named therein; permits shall automatically expire when work ceases for a period of ninety days, without good and reasonable cause for same; but will naturally expire upon completion of work for which it was issued and final approval from the City Electrical Division.
4. **The issuance of a permit** shall not be taken as permission to violate any requirements of this ordinance.

SECTION SIX: ELECTRICAL BOARD OF ADJUSTMENTS AND APPEALS

There is hereby established a Board to be called the Electrical Board of Adjustment and Appeals, which shall consist of nine members of the City of Montgomery with each Council member having one appointment. Any person holding a current electrical contractors license may appeal a decision of the City Electrical Division and to the Board. The appeal shall be in writing to the Chief Electrical Inspector and the Board shall meet within ten days of the filing of the appeal. The Chief Electrical Inspector shall act as secretary of the Board and shall make a detailed record of all its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a member to vote.

SECTION SEVEN: PERMIT NOT REQUIRED

The provisions of this ordinance requiring an electrical permit for working at or engaging in the business of installing, maintaining, altering or repairing electrical wires, conduits, apparatus, fixtures or other appliances, shall not apply to the following:

1. The installation, construction, maintenance or repair of lines for the transmission of electricity from the source of supply to service companies; or to the work of such plants or companies on the premises owned or controlled by them; or to the work of said electric companies installing, maintaining, altering or repairing on the premise of customers, service connections and meters and other apparatus and appliances which remain the property of such companies after installation; or to work in connection with the lighting of streets, public alleys, public parks, areas and squares.
2. The installation, alteration or repair of wiring devices, appliances, or equipment where such wiring devices, appliances, or equipment operate at a voltage not exceeding 50 between conductors and do not include generating or transforming equipment capable of supplying more than 50 watts of energy.
3. Any work involved in the manufacture, text or repair of electrical materials, devices, appliances or apparatus, but not including any permanent wiring other than that required for testing purposes.
4. The assembly, erection and connection of electrical apparatus and equipment by the manufacturer of such apparatus and equipment, but not including any electrical wiring other than that involved in making electrical connections on the apparatus or equipment itself of between two or more parts of such apparatus or equipment.
5. Electricians regularly employed by manufacturing plants or other places of business employing competent electricians for maintenance purposes may make such repairs only as may be required on the premises and property of said employer.
6. Any person who has been certified by the State Act # 849 and licensed by the City of Montgomery under the Mechanical Ordinance #7-98 would be exempt to make necessary repairs to any component part of heating and air-conditioning systems. (This does not include complete change out or replacement of air-conditioning units.)

7. The installation, alteration, or repair of electric apparatus, equipment of wiring on property or premise owned, operated, or leased by the City of Montgomery, Alabama, shall be exempt from this ordinance provided such work is done by a city employee.

SECTION EIGHT: LISTING OF SIGNS REQUIRED

Every electrical sign of any type, fixed or portable shall be listed and installed in conformance with that listing. Permits and inspections under other sections of this ordinance may be accepted.

SECTION NINE: REPAIRS ON OR REPLACEMENT OF EXISTING SIGNS

When an existing sign circuit is sufficient, a Neon or Illuminated Sign Contractor shall be allowed to disconnect said circuit and shall also be allowed to re-connect such circuit of the sign in making repairs or replacement thereof.

SECTION TEN: LABELS REQUIRED

All shop-inspected signs shall be labeled with the manufacturer's name and address and said label shall also include the operating voltage, phase and amperage of such signs.

SECTION ELEVEN: ALLOWING ONE'S NAME AND LICENSE TO BE USED TO OBTAIN PERMITS FRAUDULENTLY.

No person engaged in the business or trade of electrical construction and installation, or electrical contractor or the business of installing, erecting or repairing and servicing electrical illuminated or luminous tubing or neon signs shall allow his name be used by any other person, directly or indirectly to obtain a permit for the construction of any work under his name or license. No person holding a license shall represent two or more businesses engaged in the business or trade of electrical construction and installation, or electrical contractor or the business of installing, erecting or repairing and servicing electrical illuminated or luminous tube or neon signs.

SECTION TWELVE: RULES AND REGULATIONS GOVERNING INSTALLATION OF ELECTRIC WIRES, APPLIANCES, ETC, OF THE CITY OF MONTGOMERY, ALABAMA

1. DEFECTIVE WIRING, REMOVAL OF

Whenever an electrical wire or appliance shall be defective through improper or insufficient insulation, or for any other reason, the City Electrical Division shall at once cause the removal of such defect or defects at the expense of the owner of such wires or appliances.

2. ALTERATIONS AND ADDITIONS

No alterations shall be made to the wiring of any building for lights, heat or power, nor shall any building be wired for electric lights, motors or heating devices without a permit therefore from the City Electrical Division, nor shall any change be made in any electric plant, after inspection with notification to the City Electrical Division and written permission from the City Electrical Division has been secured.

3. MATERIAL, METHODS AND APPLIANCES – APPROVAL OF

All electrical construction, all materials and appliances used in connection with electrical work and the operation of all electrical apparatus within the City of Montgomery or police jurisdiction thereof, shall conform to the current edition of Rules and Requirements of the National Electrical Code, “for the installation of wiring and apparatus for electrical purposes, as they are established or may hereafter be amended” and the said Rules and Regulations are hereby adopted and approved as part of this code.

4. NOTICE OF COMPLETION AND CERTIFICATE ISSUED

Upon completion of the wiring of any building for light, heat or power, it shall be the duty of the company, firm or corporation or individual doing the same, to notify the City Electrical Division who shall inspect such wiring and appliance and if approved by him, he shall issue a certificate or satisfactory inspection, which shall contain the date of such inspection and an outline of the result of his examination.

5. DUTY OF OWNER TO KEEP WIRING FREE FROM DEFECTS

It shall be the duty of every person, firm or corporation owning buildings, rooms or parts of buildings within the City to keep the electrical wiring in said building, rooms, or parts of buildings so owned by said person, firms or corporations, in condition free from all defects and any such person, firm or corporation, who within ten days after having been notified by the City Electrical Division, shall fail to repair same, shall be guilty of a violation of this section, and upon conviction, shall be fined not less than one or more than five hundred dollars.

6. CONTROL OF ELECTRICAL CURRENT TO PREVENT INJURY

It shall be the duty of all persons or companies using or employing electrical currents in the City of Montgomery to provide and put in use such means and appliances as will so control and effectually retain such currents in their proper channels and on their own wires, tracks and other works, as to prevent injury to pipes, wires and other structures in the City of Montgomery, and in the streets and alleys, or other parts of said City, and repair and renew said means and appliances as from time to time, changes and improves the same, as may be necessary to accomplish such purpose.

7. APPROVAL OF MATERIALS AND DEVICES SOLD IN THE CITY

All electrical material, wiring devices and appliances sold or installed in the City of Montgomery, whether wholesale or retail, shall bear the stamp of approval from a nationally recognized testing laboratory.

All electrical equipment sold or installed as a unit must also meet the foregoing requirements or carry the necessary listing and certification from a State of Alabama registered electrical engineer, as may be required by the Chief Electrical Inspector.

8. CLASS OF WORK IN PUBLIC AND SPECIAL BUILDINGS

All electrical wiring in or on buildings, structures, or property classified as commercial, industrial, places of assembly, businesses or similar purposes shall be enclosed in raceways of types approved by a nationally recognized testing laboratory.

9. ROUGHING IN INSPECTIONS

All applications for roughing inspections shall be made to the Electrical Division as soon as ready for such inspection, and the Electrical Division shall have the authority to demand building contractors to open such work that in any manner conceals electrical wiring that has been closed without his knowledge or permission, and in no case shall the inspector issue clearance until he is satisfied that the work is in accordance with the provisions of this ordinance. The inspector shall have the right to refuse to issue a clearance on any wiring that is concealed in such a manner that he cannot satisfy himself that it has been done in accordance with this ordinance.

10. RECONNECTION OF DISCONTINUED SERVICE

When electrical service is disconnected or removed in any building in the City of Montgomery or police jurisdiction, clearance must be obtained from the City Electrical Division before reconnection of the power supply.

11. DISCONTINUING DEFECTIVE WIRING

In any case of failure to comply with the provisions of this ordinance, the City Electrical Division shall have the authority, after due notice, to cut out all lights or currents, and to enforce discontinuances of the same until said requirements are complied with.

12. ADDRESS TO BE POSTED ON JOB SITE

It shall be the responsibility of each contractor requesting inspections to either post or cause to be posted street addresses or, if not available, some other means of identification on each building, structure, or property and that such address be clear and visible upon approach.

13. PLANS FOR WIRING

The City Electrical Division may at any time require that the Electrical Contractor furnish complete plans and specifications as may be necessary to assist him in determining whether the work being performed is in conformity with the requirements of this ordinance.

SECTION THIRTEEN: PERMIT INSPECTION FEES

FOR ISSUING ALL PERMITS	\$10.00
--------------------------------	----------------

COMMERCIAL METER LOOPS	
Up to 100 amps	\$ 6.00
200 amps	8.00
400 amps	10.00
600 amps	15.00
800 amps	20.00
1200 amps	25.00
1600 amps	30.00
2000 amps	45.00

RESIDENTIAL METER LOOPS NEW BUILDINGS – Includes outlet fees for receptacles, lights, switches, smoke detectors and light fixtures	
Up to 100 amps	\$ 20.00
200 amps	25.00
400 amps	30.00
over 400 amps	35.00

RESIDENTIAL SERVICE UPGRADES EXISTING BUILDINGS – Includes fees for outlets, fixtures, and appliances	
1 st meter loop	\$ 15.00
Each additional meter loop	5.00
(If service is not changed, all applicable fees shall apply.)	

WIRING TO OUTLETS – Receptacles, lights, switches, smoke detectors	
1 to 10 outlets	\$ 3.00
11 outlets and above, per	.30

FIXTURES	
1 to 10 fixtures	\$ 3.00
11 fixtures and above, per	.30

APPLIANCES	
Ranges, Cooktops, Ovens, per	\$2.50
Clothes Dryers	2.50
Water Heaters	2.50
Welder Outlets	2.50
Similar Appliances not listed	2.50
Air Conditioning units not over 6 hp, per unit (use motor schedule for units over 6hp)	3.00
Electric heating units, up to 20 kw, per unit (use kw rated equipment schedule for over 20 kw)	3.00
Dishwashers	1.50
Garbage Disposals	1.50
Bath Heaters	1.50
Fractional HP Motor Appliances, per (Including hood vent fan exhaust fans, attic fans, furnace fans, roof fans, etc.)	1.00

MOTORS	
1 to 6 hp, per	\$3.00
Over 6 hp, per hp	.50

TRANSFORMERS, GENERATORS, CAPACITORS, UPS SYSTEMS AND SIMILAR EQUIPMENT	
All types, 600 volts or under per Kva	\$.20

OTHER KW RATED EQUIPMENT	
Up to 15 kw, per unit	\$ 3.00
Each additional kw	.20

TEMPORARY SERVICE POLE	\$ 5.00
-------------------------------	----------------

POOLS	\$25.00
--------------	----------------

MANUFACTURED/MOBILE HOME CONNECTS	\$15.00
--	----------------

MOBILE OFFICES, CONSTRUCTION SITE OFFICES AND SIMILAR BUILDINGS, PER	\$10.00
---	----------------

SIGNS	
Single circuit – connect or disconnect and reconnect	\$10.00
Each additional circuit, per	5.00

OUTSIDE CIRCUITS	
Single circuit	\$10.00
Each additional circuit	5.00

SIGN INSPECTIONS – In shop or on job site	
First circuit	\$10.00
Each additional circuit, per	5.00

FUEL DISPENSING UNITS, PER	\$10.00
-----------------------------------	----------------

MEDICAL EQUIPMENT	\$10.00
(Units) – Including x-ray and dental units, per	

TRANSFER SWITCHES – All types	\$10.00
--------------------------------------	----------------

RECONNECTION OF DISCONNECTED SERVICES	
Commercial (C-10)	\$10.00
Residential (R-10)	\$10.00

GENERAL REPAIR – of services, branch circuits, appliances, etc.	\$10.00
--	----------------

MAJOR REPAIR – Requiring several inspections or work done in stages	\$20.00
--	----------------

SUB-PANELS AND FEEDER ADDITIONS TO EXISTING BUILDINGS OR STRUCTURES	
Up to 100 amps	\$ 6.00
200 amps	8.00
400 amps	10.00
600 amps	15.00
800 amps and over	20.00

REINSPECTION FEES	
First reinspection	N/C
Second reinspection	\$ 5.00
Third reinspection (plus previous reinspection)	10.00
All additional reinspection (plus Previous reinspection)	15.00

Fees for old work shall be the same as new work. Any outlets added to old or new work will carry inspection fees.

FEES FOR LATE PERMITS

Any person, firm or corporation failing to obtain an electrical permit prior to the commencement of work, shall be required to then pay for such permit an amount equal to double the amount for the same permit had it been obtained prior to commencement; provided, however, that the provisions hereof shall not apply when the work must be done immediately because of an emergency, in which event, the electrical contractor shall telephone the office of the City Electrical Division and report the emergency and the extent of the work to be done and then obtain the electrical permit within the next twenty-four hours, or if the office of the City Electrical Division is not open for business, then the electrical contractor shall obtain the electrical permit within the next forty-eight hours immediately following the beginning of the work.

SECTION FOURTEEN: CONFLICTING ORDINANCES REPEALED

Ordinance No. 5-2005 is hereby repealed in its entirety.

SECTION FIFTEEN: LIABILITY

Nothing contained in this ordinance shall be construed to relieve any individual, firm or corporation from liability in case of accident to life or damage to property in the construction or operation of their plant or plants.

SECTION SIXTEEN: PENALTIES

Any person violating any provision of this ordinance or doing or failing to do any act or thing prohibited or required by this ordinance or declared by this ordinance to be unlawful, shall be guilty of an offense against the City of Montgomery, Alabama, and shall upon conviction in a case, be fined not less than one (\$1.00) dollar, nor more than five hundred (\$500.00) dollars, and may be sentenced to hard labor for the City of Montgomery, Alabama, for not exceeding six months, either or both, at the discretion of the recorder trying the case. Each day that this ordinance is violated shall constitute a separate offense.

SECTION SEVENTEEN: VALIDITY

If for any reason any clause, sentence, sub-section or provision of this ordinance or the application thereof to any person or circumstances, is declared invalid or inoperative by any court of

competent jurisdiction, the remainder of the ordinance, and the application thereof to other persons and circumstances, shall not be affected thereby.

SECTION EIGHTEEN

This ordinance shall become effective upon passage, approval and publication.

ADOPTED this 2nd day of January, 2008.

APPROVED: 1/3/08

BOBBY N. BRIGHT, MAYOR

ATTEST:

BRENDA GALE BLALOCK, CITY CLERK

1-2008